

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

547D0763

SENATE JUDICIARY COMMITTEE ENGROSSED NO. **SB195** - 2/8/00

Introduced by: Senators Lawler, Kloucek, Lange, and Staggers and Representatives Duenwald, Apa, Brown (Jarvis), Chicoine, Diedtrich (Elmer), Heineman, Juhnke, Monroe, Sebert, and Waltman

1 FOR AN ACT ENTITLED, An Act to prohibit or restrict certain acts in relation to human
2 embryos.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. No person may knowingly destroy a human embryo for the purpose of
5 nontherapeutic research. A violation of this section is a Class 1 misdemeanor.

6 Section 2. No person may knowingly subject a human embryo to substantial risk of injury or
7 death for the purpose of nontherapeutic research. A violation of this section is a Class 1
8 misdemeanor.

9 Section 3. No person may use for research purposes cells or tissues that the person knows
10 were obtained by performing the activities described in sections 1 and 2 of this Act. A violation
11 of this section is a Class 1 misdemeanor.

12 Section 4. For purposes of this Act, the term, nontherapeutic research, means research that
13 is not intended to help preserve the life and health of the particular embryo subjected to risk. It
14 does not include in vitro fertilization and accompanying embryo transfer to a woman's body or
15 any diagnostic test which may assist in the future care of a child subjected to such tests.

1 Section 5. For purposes of this Act, the term, human embryo, means a living organism of the
2 species *Homo sapiens* at the earliest stages of development (including the single-celled stage)
3 that is not located in a woman's body.

4 Section 6. For the purposes of this Act, the terms, knowingly destroy and knowingly subject,
5 include the sale or transfer of human embryos with the knowledge that the embryos will be
6 destroyed, subjected to risk of injury, or used for research purposes, in violation of this Act.

1 **BILL HISTORY**

2 1/24/00 First read in Senate and referred to Judiciary. S.J. 169

3 2/4/00 Scheduled for Committee hearing on this date.

4 2/4/00 Judiciary Do Pass Amended, Passed, AYES 7, NAYS 0. S.J. 328